

**Saint Paul Planning Commission
City Hall Conference Center
15 Kellogg Boulevard West**

Minutes November 30, 2012

A meeting of the Planning Commission of the City of Saint Paul was held Friday, November 30, 2012 at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. Merrigan, Noecker, Shively, Thao, Wang, Wencil; and Messrs. Connolly, Edgerton, Gelgelu, Nelson, Ochs, Schertler, Spaulding, Ward, and Wickiser.

Commissioners Absent: Mmes. *Perrus, *Porter, *Reveal, and Messrs. *Lindeke, and *Oliver.
*Excused

Also Present: Donna Drummond, Planning Director; Lucy Thompson, Allan Torstenson, Merritt Clapp-Smith, Bill Dermody, Mary Matze, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes November 16, 2012.

MOTION: *Commissioner Wang moved approval of the minutes of November 16, 2012. Commissioner Merrigan seconded the motion. The motion carried unanimously on a voice vote.*

II. Chair's Announcements

Chair Wencil had no announcements.

III. Planning Director's Announcements

Donna Drummond announced that the Union Depot was having its grand opening celebration on Saturday, December 8, 2012. More information is available at www.uniondepot.org.

Also, Councilmember Brendmoen had requested that the planning staff do an analysis of a potential boundary change between District 6 and District 10, specifically the area directly south of Lake Como, which is currently within the District 6 boundary. Staff has done an initial analysis and there is going to be a community meeting on January 9, 2013.

The nonconforming use amendments which were mentioned at the last Planning Commission meeting have been laid over again and will be back on the City Council agenda next Wednesday, December 5th.

IV. Zoning Committee

STAFF SITE PLAN REVIEW – List of current applications. *(Tom Beach, 651/266-9086)*

Two items came before the Site Plan Review Committee on Tuesday, November 27, 2012:

- Schmidt Brewery bottling house renovation and parking lot, 888 West 7th Street.
- Ford Motor plant demolition/decommissioning, 966 Mississippi River Blvd. South.

Three items to come before the Site Plan Review Committee on Tuesday, December 4, 2012:

- Environmental Wood Supply wood yard site improvements, 2165 Pigs Eye Lake Road.
- Securian plaza renovation, 400 N. Robert Street.
- Ordway Center expansion, 345 Washington Street.

NEW BUSINESS

#12-206-723 Statera Fitness – Rezone from RM2 multi-family residential to B2 community business for a health/fitness facility. 688 Hague Avenue, SW corner at St. Albans. *(Bill Dermody, 651/266-6617)*

Commissioner Nelson announced that this case has been withdrawn at the request of the applicant.

12-206-725 Statera Fitness - Variance of required parking (44 spaces required, 22 spaces proposed). 688 Hague Avenue, SW corner at St. Albans. *(Bill Dermody, 651/266-6617)*

Commissioner Ochs asked about adding a condition to require landscaping to dress up the parking lot a bit.

Bill Dermody, PED staff, responded that the Commission can impose reasonable conditions in approving a variance necessary to fulfill the purpose of the code. This sort of consideration could also be direction to staff for site plan review.

Commissioner Ochs asked if the additional required bicycle parking would fit without losing a motor vehicle parking space to accommodate bicycle parking.

Commissioner Nelson said the 3 bicycle parking spaces would be in addition to the 22 vehicle parking spaces.

Commissioner Schertler asked about the basis for requiring 3 bike parking spaces.

Mr. Dermody said the code has a bike parking requirement based on the number of vehicle parking spaces.

Commissioner Edgerton expressed concern about the reduced parking. He asked about basing required parking on gross floor area and not counting basement mechanical and storage areas.

Mr. Dermody said that the code requires 44 parking spaces for the proposed use based on gross area. The unusually large storage and inactive floor area compared to other fitness facilities is a factor in considering the variance request. The building is one block south of transit on Selby and much of the membership lives in the neighborhood, so fewer cars and more bikes are expected.

Commissioner Nelson said Statera Fitness is currently a block away, and this site would have more parking than their current site.

Commissioner Merrigan noted that the variance is for this particular use going into that space. If it doesn't go in, or if another type of use goes in, the parking requirement would be recalculated.

Mr. Dermody clarified that it wouldn't have to be Statera Fitness, but it must be a fitness facility.

Commissioner Ward asked about testimony at the Zoning Committee hearing.

Commissioner Nelson said most of the testimony was about the rezoning. While there was an adequate consent petition for the rezoning, two people spoke against it. The Zoning Committee recommended denial of the rezoning because it would be "spot zoning," and as a result the applicant withdrew the rezoning application.

MOTION: *Commissioner Nelson moved the Zoning Committee's recommendation to approve the variance subject to additional conditions. The motion carried unanimously on a voice vote.*

Commissioner Nelson announced the items on the agenda for the next Zoning Committee meeting on Thursday, December 6, 2012.

Commissioner Merrigan said perhaps the parking requirement based on gross floor area should be revisited to account for things like common areas, elevator cores and mechanical rooms and bring it in line with other communities and current zoning practices.

Commissioner Noecker noted recent discussion about parking requirements near new LRT.

Donna Drummond, Director of Planning, said the Central Corridor Zoning Study eliminated minimum parking requirements in traditional neighborhood districts within ¼ mile of the light rail line. Prior to that, there was a city-wide parking study a couple of years ago that substantially reduced parking requirements city wide. Perhaps there are further tweaks to consider.

Commissioner Merrigan said she would be happy to send comparable language from other municipalities for staff to look at.

V. Update on Ford Project and Upcoming Master Site Plan Review for Site Decommissioning - Informational presentation by Merritt Clapp-Smith, PED. (Merritt Clapp-Smith, 651/266-6547)

Merritt Clapp-Smith, PED staff gave an update on the Ford Project. She said that this past year has focused on two main activities for the Ford site, work on the Ford Zoning Framework Study and identification of site decommissioning activities to be reviewed by the City under a master

site plan application. Given the magnitude, scope, and high profile of the decommissioning, it is important to bring the master site plan application that guides this work through formal public review at Zoning Committee and Planning Commission.

Ford Land, which manages Ford's real estate assets, has decommissioned over a dozen properties in the U.S. since 2000, gaining significant experience in the technical details and management of these large, complex projects. However, each site introduces a host of new state and local regulations and expectations related to the decommissioning process.

Since last spring, City staff and partner agencies such as the MPCA and Ramsey County have worked closely with one another and with Ford to identify the decommissioning requirements and expectations for this site; which is characterized by its unique size, age, and location next to the Mississippi River, a vibrant commercial area, and residential neighborhoods.

Preparation of a complete application took time, since the scope of activities encompassed in the master site plan spans 4-5 years and distinct phases of work. These are:

1. Demolition of buildings – paint and main structure
2. Removal of Slabs and Foundations -
3. Site Stabilization with grading, seeding, and stormwater management
4. Removal of remaining parking lots

Each of these phases required drawings and engineering details comparable to those provided in any site plan review, an undertaking that took Ford and its contractor's time to prepare.

Concurrent with preparation of the application, Ford has gone through significant work to prepare the buildings for demolition, including inventorying and documenting the property, disposing of documents and equipment, scoping and contracting the interior prep. work, getting approvals, and undertaking the work which includes mercury switch removals, utility shut offs, light bulbs and asbestos removal, an activity which may be delayed to spring if cold weather prevents related washing.

After months of work, a site plan application is ready for review. On September 11th Ford, represented by its lead decommissioning contractor, Devon Industrial Group (DIG) submitted a site plan application to city staff. Staff reviewed the application and deemed it incomplete. A letter identifying additional materials needed was sent by DSI's Tom Beach to the applicant on September 27th.

On November 9th Ford and its contractors provided a supplemental set of application materials and a narrative response to Mr. Beach's letter answering items and questions. A Site Plan Review team meeting was held with Ford on November 27th. The application was deemed complete and a letter sent to Ford summarizing last items needing attention. Staff is now drafting the site plan review staff report. Tuesday, December 11, 6:30-8 pm at Gloria Dei the Highland District Council is hosting a meeting to review the Ford site plan. Ford representatives will present the highlights of the application and field questions. Tom Beach, Steve Ubl and Merritt Clapp-Smith will attend to provide information on the public review process. Staff from MPCA will attend to address any potential questions related to environmental clean up. Then the Zoning Committee's public hearing will be held on the Ford site plan. Tom Beach, Steve Ubl and Merritt Clapp-Smith will share the staff report presentation. Ford will be represented by their

decommissioning project leads. The Planning Commission will hear the Zoning Committee report on the Ford site plan application and likely be asked to vote on the matter.

Commissioner Schertler asked what decision the Planning Commission has to make, because there is nothing here that triggers an official Planning Commission review, statutorily.

Donna Drummond, Planning Director, said that any demolition in the river corridor requires a site plan review, and site plan review is the purview of the Planning Commission.

Commissioner Schertler asked if the Planning Commission reviews all demolitions in the river corridor.

Ms. Clapp-Smith explained that being in the river corridor triggers a site plan review process which is delegated to staff., and either the Planning Commission or Zoning Administrator has the purview to request or recommend that a site plan go through a public hearing process at the Planning Commission if the site plan is deemed to be of a stature or of a complexity that makes that prudent.

Commissioner Schertler did not see what added value the Planning Commission would provide unless there is a public hearing and they are anticipating someone is going to appeal the decision.

Commissioner Connolly noted that the site plan focuses on demolition of all buildings and structures, leaving the site as a seeded field, and does not address redevelopment.

Ms. Clapp-Smith said that there is a lot of technical information in the document -- 80% - 90% of what's in this application is of a technical nature to be reviewed by staff with professional expertise. They are looking for the important things that are going to keep the site safe and address any issues. However, in a project of this size, there's potential for nuisance problems from traffic, dust, noise, and things like that, which are of concern the public and can be addressed with conditions.

Commissioner Connolly asked if the end game for this phase is a field, it that because the City has required this to be done before the site is sold to someone else?

Ms. Clapp-Smith said that Ford originally intended to remove the buildings, with the potential of then transferring the property to a buyer to do the remaining work of foundation removals, etc., if necessary. This is the process Ford has used on many of its other properties. However, the Minnesota Pollution Control Agency, under its Voluntary Investigation and Clean up program, thought that given the size and amount of land covered by the foundations, it was important to remove them to complete environmental testing and characterize the site. In addition, Ford made a decision that given the nature of how this site is likely to redevelop, foundation removals would probably occur, so they might as well take that step before transferring the property for sale.

Commissioner Connolly asked if Ford can be required to recycle products and materials from the demolition work.

Ms. Clapp-Smith said that she and Anne Hunt met with Ford to discuss such goals, and learned that Ford typically achieves a high level of recycling. There are markets for many of the

decommissioned materials, so recycling makes environmental and economic sense and occurs without any requirements.

Commissioner Schertler questioned procedurally what comes before the Planning Commission and what their authority is. His concern was that they not establish a precedent for all demolition projects to go to public hearing, given the very technical nature of the review and the fact that it has nothing to do with the ultimate development. Ms. Clapp-Smith replied that bringing the site plan to public hearing is a discretionary decision to be made on circumstances of each case. Ms. Drummond added that often times the staff will proactively ask the Planning Commission to review a site plan because it has a high public profile and there is concern that there may be an appeal of the staff's decision on the site plan, which cuts deeper into the 60-day review timeline. It's always a judgment call on how controversial a project is or how likely it is to be appealed.

Commissioner Ochs would like to see a good grading plan and a stormwater management plan for the demolition because at anytime there could be a storm event that carries debris from the site to the Mississippi River corridor. There is some value in the Planning Commission review, because there may be things that others see which staff have not. It's also important to double check the order of operation, how hazardous materials are contained, where they are located, and how stormwater is managed on the site during deconstruction process.

Commissioner Spaulding asked to what extent pollution remediation is being handled during demolition, because full remediation is not necessarily part of this site plan review.

Ms. Clapp-Smith said the City is happy to have other agencies and professional staff involved in the review, for instance the stormwater and erosion management will have elements of review and permitting by both MN Pollution Control Agency (MPCA) and Capitol Region Watershed.

On the environmental side, MPCA will be working with Ford and the City staff to ensure that any necessary spot clean ups occur during the demolition process to manage any pollutants that could be a problem.

Commissioner Ward asked if anyone has looked at possible disruptions to businesses that are close by and looked at any type of monetary impact. This is not as disruptive straight down the middle of a business corridor, but it is located close to a major business corridor in Highland.

Ms. Clapp-Smith said that major business disruptions are not anticipated since demolition work is contained on site, and the trucks coming and leaving along Ford Pkwy will be fewer than those that used the corridor during plant operations.

Commissioner Ward noted that the site plan includes a traffic study, which is important and should be disseminated to the public.

Commissioner Noecker asked that if the site plan and public hearing do not generate a public outcry and an appeal seems unlikely, would the item still need to be brought to Planning Commission for an official vote on December 28th, as scheduled.

Ms. Drummond said that they won't know for sure if there is going to be an appeal until after a Planning Commission decision.

Merritt added that the Zoning Administrator intends to delegate authority to the Planning Commission to make the decision on approving the site plan, which requires a Planning Commission vote. She is not sure if it is possible to for the Planning Commission to refuse that delegation of authority, particularly after the item has been scheduled for public hearing at the Zoning Committee.

Commissioner Schertler said that a site plan like this, which is long and highly technical, can be a challenge to review for the public and the Planning Commission. They must rely to a great extent on professional staff with the expertise to do the review. Therefore, the added value in bringing it to public hearing and to the Planning Commission should focus on the community impacts and policy issues to be considered.

Commissioners discussed the value of bringing large site plans to public hearing and Planning Commission review -- providing public information and a forum for input, and an extra level of review and assurance that items important to the community are being considered and addressed as appropriate.

Commissioner Nelson invited Planning Commissioners to attend the public hearing at Zoning Committee if they want to directly hear the presentation and testimony, instead of just the summary report presented the following week at the Planning Commission meeting..

Ms. Drummond added that 80% - 90% of this site plan review will be technical analysis to ensure that City requirements are met. The other 10% involves impacts on the broader community -- how is it screened, how are trucks coming in and out, what times of the day are they doing the crushing, where is that crushing facility located on the site. Those are things that have an impact on the external neighborhood and there could be frustration from the community if people are articulating those types of concerns and then just relying on staff to make the right judgment. The Planning Commission is charged with making those kinds of decisions on behalf of the community. However, to keep the public hearing focused on issues relevant to the site plan, the Zoning Committee Chair can articulate what issues are being dealt with and what issues are not, such as future uses of the site.

Ms. Drummond stated that the Chair asked her to remind the commissioners that as with any decision coming to the Zoning Committee and Planning Commission, they should not articulate a decision or opinion prior to a vote.

Chair Wencil added that if a commissioner publically articulates a position before voting on the matter at Planning Commission, then they render themselves ineligible to vote.

VI. Peak Democracy: Open Saint Paul – Informational presentation about a new mechanism for community input. (Mary Matze, 651/266-6708)

Mary Matze, PED intern gave an informational presentation about Open Saint Paul, which is an online forum that provides policy makers with a broader sense of public opinion. It's an online tool that gives people the opportunity to comment on issues that are happening in the City of Saint Paul. Open Saint Paul is on Saint Paul's web site but it is maintained by a company called Peak Democracy. Ms. Matze explained why Peak Democracy is used saying that it is civil, fair, guided, legal, and time-saving. Civil, because it is monitored for profanity, personal attacks and

impertinent comments and only one comment is allowed per person. Peak Democracy authenticates users making sure that there is only one email per comment and that the email address is registered with a computer. Peak Democracy also protects free speech and complies with all of the public record requirements. One of the major differences is that it's guided by the City of Saint Paul, so when issues come up and officials and staff need to know something that will help inform their work, they ask the question and provide information to the public so that it is not skewed by the media or other special interest. It is time-saving because Peak Democracy takes the comments and creates a report that shows how many people have looked at the forum and how many have participated from each of the wards and it gives a time of how many hours of public comment was received. Then Ms. Matze briefly went through the pages and gave a tour of the actual web site and all of its features.

Commissioner Connolly asked how would this guarantee a statistically representative cross section, and how are you trying to reach people?

Ms. Matze said that when there is a notice about a public meeting then they try to get a link to this web site set up and they also ask staff to tell people about this at the meeting. Also people can subscribe to Peak Democracy and in that case they will be sent a notice with a new question and then asked for their feedback on it.

Donna Drummond, Planning Director, added that they have not had a topic yet that is going to test this, how well this is going to work. A real test will be when there is a controversial topic. This will generate an automatic report with everyone's comments. It also gives people another alternative to participate without having to go to a public meeting. This has a lot of potential and the key will be to advertise it at the front end and getting topic questions set up and making sure that people are aware it is out there and they can participate this way.

Commissioner Thao expressed concerned that they are not going to get a representative sample, and will only get those who are already in the know who have computer access and enough digital literacy skills that they will be able to tell what is happening. This is a great forum for that community and hopefully there are other tools such as the District Councils and other organizations that will be going out there doing out reach to other community members as well. Commissioner Thao recommends working with the libraries because they do reach a number of people in the city. It will get to a certain segment of the population of people but she worries about all the others.

Ms. Drummond said that she has the very same concern, because there are many communities in the City of Saint Paul that do not have computer access readily available or English is their second language or for whatever reason, but they don't view this as a replacement or be all and end all for community input. This is just another tool to enhance ways to get community input.

Commissioner Noecker asked how is this going to be integrated with the Planning Commission packets?

Ms. Drummond said that they are anticipating that when they have a major public hearing coming up for Planning Commission, that right in the public hearing notice it will say if you want to comment in writing this is where to do it. The Planning Commission would then get the actual report with all the written correspondence that has come in about this particular topic.

Commissioner Nelson said that if only one comment is allowed and someone indicates support for someone else's position, can they still comment?

Ms. Drummond assumes you can indicate support for another comment as well as post your own comment. Also, you can read subsequent comments then decide to change your original comment. Ms. Drummond also explained that another benefit is the ability to post images and staff reports about a topic so that community members have enough information to post an informed comment.

Commissioner Ochs asked about the plan for publicizing this new tool.

Ms. Drummond said staff will be working with the new PED public relations manager to discuss ways to better publicize this new method for community input.

Commissioner Merrigan noted that City Councilmembers can help get the word out in their communications with constituents.

VII. Comprehensive Planning Committee

Commissioner Merrigan had no report.

VIII. Neighborhood Planning Committee

Chair Wencil announced that the next Neighborhood Committee meeting is on Wednesday, December 5, 2012.

IX. Transportation Committee

Commissioner Spaulding announced that the next Transportation Committee meeting on Monday, December 3, 2012 has been cancelled.

X. Communications Committee

No report.

XI. Task Force Reports

None.

XII. Old Business

None.

XIII. New Business

None.

XIV. Adjournment

Meeting adjourned at 10:28 a.m.

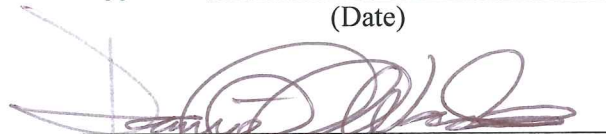
Recorded and prepared by
Sonja Butler, Planning Commission Secretary
Planning and Economic Development Department,
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Respectfully submitted,



Donna Drummond
Planning Director

Approved December 28, 2012
(Date)



Daniel Ward II
Secretary of the Planning Commission

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